1	STEVEN W. MYHRE		
2	Acting United States Attorney PATRICK BURNS Assistant United States Attorney Nevada State Bar #: 11779 501 Las Vegas Boulevard South, Suite 110		
3		00	
4	Las Vegas, Nevada 89101 (702) 388-6336/Fax: (702) 388- 6418 John.P.Burns@usdoj.gov		
5	Representing the United States of America		
6	UNITED STATES DISTRICT COURT		
7	DISTRICT OF NEVADA		
8		00-	
0	UNITED STATES OF AMERICA,		
9	Plaintiff,	CASE NO: 2:17-cr-00080-APG-CWH	
10	vs.	STIPULATION TO CONTINUE	
11	JAMES MCMILLAN,	SENTENCING	
12	Defendant.		
13	It is hereby stipulated and agreed,	by and between Steven W. Myhre, Acting	
14	United States Attorney, through Patrick	Burns, Assistant United States Attorney	
15	and Brian Pugh, Esq., counsel for Defend	ant James McMillan, that the sentencing	
16	hearing date in the above-captioned mat	ter, previously scheduled for February 1	
17	2018, at 9:00 p.m., be vacated and continued until a time convenient to the Court		
18	preferably in the latter part of May 2018 of	or early June 2018.	
19	This Stipulation is entered into for	the following reasons:	
20	1. Counsel for Defendant M	cMillan and the Government require	
21	additional time to prepare for sentencing in this matter.		
22	2. Defendant McMillan is in custody and does not oppose this request.		
23	3. The Government does not opp	pose this request.	

1	4. This is the fourth request for a continuance filed in this matter.	
2	5. This request is made in good	faith and not for purposes of delay.
3	Dated this 4th day of December, 2017	
4		STEVEN W. MYHRE
5		Acting United States Attorney
6	By:	/s/ By:
7	BRIAN PUGH, Esq., Counsel for Defendant McMillan	PATRICK BURNS Assistant United States Attorney
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## 1 UNITED STATES DISTRICT COURT DISTRICT OF NEVADA 2-000-3 UNITED STATES OF AMERICA, 4 CASE NO: 2:17-cr-00080-APG-CWH Plaintiff, 5 vs. 6 JAMES MCMILLAN, FINDINGS OF FACT Defendant. 7 8 Based on the pending Stipulation of counsel, and good cause appearing 9 therefore, the Court finds that: 10 1. Counsel for Defendant McMillan and the Government require 11 additional time to prepare for sentencing in this matter. 12 2. Defendant McMillan is out of custody and does not oppose this request. 13 3. The Government does not oppose this request. 14 4. This is the third request for a continuance filed in this matter. 15 **ORDER** 16 IT IS FURTHER ORDERED that the sentencing in *United States v. James* 17 McMillan, 2:17-cr-00080-APG-CWH, previously scheduled for February 1, 2018 at 9:00 a.m. is vacated and continued until June 14, 2018 at 9:00 a.m. in Courtroom 6C. 18 19 Dated this 4thday of December, 2017 20 By: Judge Andrew P. Gordon 21

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United States District Court Judge

## **Certificate of Service**

I, Patrick Burns, hereby certify that I am an employee of the United States
Department of Justice, and that on this day I served a copy of the following
STIPULATION TO CONTINUE SENTENCING, upon counsel for all defendants
appearing in this matter via the CM/ECF system, by electronically filing said
document.

Dated: December 4, 2017

/s/ Patrick Burns
PATRICK BURNS
Assistant United States Attorney
District of Nevada